15437-0536

PATENT APPLICATION

DECLARATION AND POWER OF ATTORNEY **Original Application**

As below named inventor, I declare that I have reviewed and understand the contents of the specification, including the claims, as amended by any amendment specifically referred to in this Declaration, that the information given herein is true, that I believe that I am an original, first and sole inventor of the invention entitled:

EFFICIENT DATA BUFFERING IN A MULTITHREADED ENVIRONMENT

which is described and claimed in:

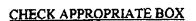
the attached specification or

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	the specification in application Serial No filed
The state of the s	filed, and may be considered to disclose and claim subject matter in addition to that disclosed in the Prior Application, and I hereby claim the benefit of 35 U.S.C. Section 120.
	that I acknowledge my duty to disclose information in accordance with 37 C.F.R. Section 1.56 and
The state of the s	defined on the attached sheet, which is material to the examination of this application, that I do not
	know and do not believe the same was ever known or used in the United States of America before my
	invention thereof or patented or described in any printed publication in any country before my invention
	thereof, or more than one year prior to this application, or in public use or on sale in the United States of
	America more than one year prior to this application, that the invention has not been patented or made
	the subject of an inventor's certificate issued before the date of this application in any country foreign to
	the United States of America on an application filed by me or my legal representatives or assigns more
	than twelve months prior to this application and that as to applications for patent or inventor's certificate
	filed by me or my legal representatives or assigns in any country foreign to the United States of
	America, the earliest filed foreign application(s) filed within twelve months prior to the filing date of
	this application and all foreign applications filed more than twelve months prior to the filing date of this
	application, if any, are identified below.

Telephone: (408) 414-1080



No earlier-filed foreign applications. X

Required information as to foreign applications filed prior to filing date of this application is on page 4 attached hereto and made a part hereof.

POWER OF ATTORNEY:

As named inventor, we hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

	Name	Registration No.	Name	Registration No.
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	Timothy J. Crean	37,116	Christopher J. Palermo	42,056
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	Alexander E. Silverman	37,940	Edward A. Becker	37,777
	Anirma Rakshpal Gupta	38,275	Carl L. Brandt	44,555
	Sean Patrick Lewis	42,798	Marcel K. Bingham	42,327
	Michael J. Schallop	44,319	Carina M. Tan	45,769
	Bernice B. Chen	42,403	Craig G. Holmes	44,770
, r*z	Noreen A. Krall	39,734	Van Mahamedi	42,828
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i,, i		43,779		
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1 55	Marilyn E. Glaubensklee	35,521		
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	Andrew C. Chen	43,544		
	Jeffrey L. Myers	44,252		
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 15437-0536

Full name of sole or first inventor: CHR	ISTOPHER H. ELVING		
Residence: City: Santa Clara		State: CA	Country: USA
Citizenship: Canadian			
Mailing Address: 1700 Halford Ave., #10)7		and the same of th
Mailing Address: City: Santa Clara	State: CA	Zip: 95051	Country USA

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

1,20		
Name (Sole Inventor)	Signature	Date
CHRISTOPHER H.	el et	6/17/01

The day

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Section 1.56 Duty to Disclose Information Material to Patentability.

- (a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is cancelled or withdrawn from consideration becomes abandoned. Information material to the patentability of a claim that is cancelled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by Sections 1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applications to carefully examine:
 - (1) prior art cited in search reports of a foreign patent office in a counterpart application, and
 - (2) the closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.
- contained therein is disclosed to the Office.

 (b) Under this section, information is material to patentability when it is not cumulative to information already of record of being made of record in the application, and
 - (1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim; or
 - (2) It refutes, or is inconsistent with, a position the application takes in:
 - (i) opposing an argument of unpatentability relied on by the Office, or
 - (ii) Asserting an argument of patentability.

A prima facie case of unparentability is established when the information compels a conclusion that a claim is unparentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any considerations given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

- (c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:
 - (1) Each inventor named in the application;
 - (2) Each attorney or agent who prepares or prosecutes the application; and
 - (3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.
- (d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent or inventor.